

UNITED STATES DISTRICT COURT

District of

MASSACHUSETTS OFFICE

FILED

H.D. YORSTON, On Behalf of Himself and
All Others Similarly Situated,

V.

2005 FEB -7 P 2:37
SUMMONS IN A CIVIL CASE

U.S. DISTRICT COURT
DISTRICT OF MASS.

EPIX PHARMACEUTICALS, INC. MICHAEL CASE NUMBER:
D. WEBB, PEYTON J. MARSHALL and
ANDREW UPRICHARD, JR.

05 CV 10166 PBS

TO: (Name and address of Defendant)

Michael D. Webb
% EPIX Pharmaceuticals, Inc.
161 First Street
Cambridge, MA 02142

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Theodore Hess-Mahan
Shapiro Haber & Urmey LLP
53 State Street
Boston, Massachusetts 02109

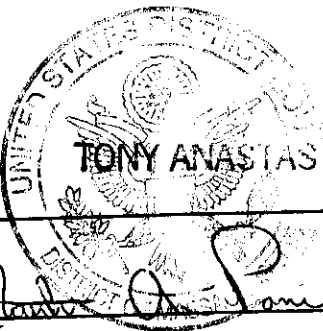
an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

CLERK

DATE

1/27/2005

(By) DEPUTY CLERK



RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE JANUARY 31, 2005 at 12:51 p.m.
NAME OF SERVER (PRINT) DAVID G. BEDUGNIS, SR.	TITLE CONSTABLE

Check one box below to indicate appropriate method of service

- ☐ Served personally upon the third-party defendant. Place where served: _____
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left: _____
- ☐ Returned unexecuted: _____
- ☒ Other (specify): BY GIVING SAID COPIES IN HAND TO ALAN CARPENTER, V.P., LEGAL AND GOVERNMENT AFFAIRS, AT EPIX PHARMACEUTICALS, INC. SAID SERVICE WAS MADE AT 161 FIRST STREET, CAMBRIDGE, MASSACHUSETTS. SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY.

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 1/31/2005 Date
Signature of Server
DAVID G. BEDUGNIS, SR., CONSTABLE

Address of Server

Cam
161 FIRST ST. INC
EPIX PHARMACEUTICALS

MICHAEL D. WEBB

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.